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Amendment Dated June 5, 2006
Reply to Office Action Mailed April 4, 2006

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REMARKS

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In the Office Action dated April 4, 2006, claim 29 was rejected under 35 U.S.C. § 101; claims 6, 19, and 41 were rejected under 35 U.S.C. § 103 over U.S. Patent Application Publication No. 2003/0061354 (Burg) in view of U.S. Patent Application Publication No. 2002/0041588 (Gleneck); claims 8-11 and 40 were rejected under § 103 over Burg in view of U.S. Patent Application Publication No. 2005/0232175 (Gunasekar) and U.S. Patent No. 6,453,034 (Donovan); claims 14-16, 20, 21, 30, 31, 37, and 38 were rejected under § 103 over Burg in view of Gunasekar; claim 32 was rejected under § 103 over Burg in view of Gunasekar and U.S. Patent No. 6,360,254 (Linden); and claims 2, 3, 5, 12, 13, 25, 26, 28, 33, 35, and 39 were rejected under § 103 over Burg in view of U.S. Patent Application Publication No. 2004/00222235 (Vaziri).

Applicant acknowledges the allowance of claim 18.

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REJECTION UNDER 35 U.S.C. § 101

Independent claim 29 was rejected under § 101 as being directed to non-statutory subject matter. Applicant has amended the "data signal embodied in a carrier wave" language in the preamble with "article comprising one or more storage media," which is similar to the language of the preamble of claim 35. It is respectfully submitted that this amendment has overcome the § 101 rejection.

Since no prior art rejection was asserted against claim 29, allowance of the claim is respectfully requested.

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INDEPENDENT CLAIMS 6 AND 19

Independent claim 6 was rejected as being obvious over the asserted combination of Burg and Gleneck. It is respectfully submitted that a *prima facie* case of obviousness has not been established with respect to Burg and Gleneck for at least the reason that the hypothetical combination of Burg and Gleneck does not teach or suggest all elements of claim 6. *See* M.P.E.P. § 2143 (8th ed., Rev. 3), at 2100-135.

Claim 6 recites accessing rules information to determine further information to add to the logical identifier, and providing charge information appended to the logical identifier for a toll call based on accessing the rules information, the charge information *to be billed for the toll call.*

The Office Action conceded that Burg fails to disclose the subject matter recited above. 4/4/2006 Office Action at 3-4. However, the Office Action cited Gleneck as disclosing the claimed subject matter missing from Burg. *Id.* at 4. Specifically, the Office Action stated that the charge information recited in claim 6 *"represents toll calls such as long distance calls or international calls, i.e., adding the '1' prefix or international code before the number will make the call go to the toll carriers ...."* *Id.* The "1" prefix for a long distance call, or the "001" prefix (such as that described in ¶ [0091] of Gleneck) does not constitute charge information *to be billed* for the toll call. The number "1" or "001" that is appended to the dialed number, as taught by Gleneck, is just a generic prefix used by every caller for making a long distance call – this prefix cannot be billed.

Therefore, since neither Burg nor Gleneck even remotely suggests appending charge information (to be billed for the toll call) to the logical identifier, it is respectfully submitted that a *prima facie* case of obviousness has not been established with respect to claim 6.

Independent claim 19 is allowable for similar reasons.

Claims dependent from claims 6 and 19 are allowable for at least the same reasons as corresponding independent claims.

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INDEPENDENT CLAIM 8

Independent claim 8 was rejected as being obvious over Burg, Gunasekar, and Donovan. The Office Action conceded that Burg does not disclose displaying a hyperlink associated with a uniform resource locator *containing a telephone number*, and also does not disclose adding calling card information to the call request to enable billing to the calling card and information. 4/4/2006 Office Action at 5. However, the Office Action cited Gunasekar as disclosing the adding of calling card information to a call request, and Donovan as disclosing a uniform resource locator that contains a telephone number. *Id.*

It is respectfully submitted that a *prima facie* case of obviousness has not been established with respect to claim 8 for at least two reasons: (1) no motivation or suggestion existed to combine the teachings of the references; and (2) the hypothetical combination of Burg, Gunasekar, and Donovan fails to disclose or suggest all elements of claim 8. *See* M.P.E.P. § 2143, at 2100-135.

Burg describes three possible configurations for placing a call from a PC 100: dialer agent 105 residing in a PC, dialer agent 152 residing in an ISP, or dialer agent 156 residing in a third party provider or in a gateway. Burg, ¶ [0052]. As discussed in ¶ [0056] of Burg, to make a call, a user can click on a predefined area of a home page of a gateway, such as a "launch call" button. In response, the browser prepares an appropriate HTTP request packet and sends the packet to ISP 150. Burg, ¶ [0056]. As correctly noted by the Office Action, Burg does not disclose adding calling card information to a call request to enable billing to the calling card information. However, it is respectfully submitted that, contrary to the assertion made in the Office Action, Gunasekar does not disclose or suggest adding calling card information to a call request to enable billing to the calling card information. The Office Action pointed specifically to ¶¶ [0022], [0023] of Gunasekar, which describe a user entering call request information, such as a called number, calling card number, and personal identification number, into a website maintained by an Internet telephony service provider. This is described in more detail in ¶ [0044] of Gunasekar, where a user, through a web browser, is prompted to enter call initiation information including the called number, calling card number, and personal identification number that are to a website provided by a web server 138 (see Fig. 1 of Gunasekar). In response, to receipt of this information from the web browser, the web server sends a validation

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message to another server, an NIDS server 104, to validate the calling party's call request. Gunasekar, ¶ [0046]. The validation message contains the service option, calling card number, and PIN number entered by the calling party. Importantly, note that the calling card information entered by a user at a web browser is provided to a web server for the purpose of enabling the web server to send a validation message to an NIDS server to enable the NIDS server to validate the calling card information.

However, entering the calling card information into a website to deliver to a web server, as performed in Gunasekar, is completely different from adding calling card information to a call request that is generated based on an indication of user selection of a hyperlink. Therefore, since Burg, Gunasekar, and Donovan do not teach or suggest the above-identified element of claim 8, it is respectfully submitted that the hypothetical combination of Burg, Gunasekar, and Donovan does not teach or suggest all elements of claim 8.

The *prima facie* case of obviousness is therefore defective for at least this reason. Moreover, it is respectfully submitted that no motivation or suggestion existed to combine the teachings of Burg, Gunasekar, and Donovan. As noted above, Burg refers to sending an HTTP request packet in response to activation of a "launch call" button in a website. On the other hand, Gunasekar discloses entering the calling card information and a called number into a website provided by a web server to be delivered to the web server for the purpose of generating a validation message to determine whether the calling card number is authorized. Moreover, the SIP URL referred to in the cited column 3 passage of Donovan refers to an SIP URL embedded in a SIP message that is sent for the purpose of initiating a call session – Donovan does not suggest a displayed hyperlink that is associated with a URL containing a telephone number.

Moreover, it is respectfully submitted that there did not exist any suggestion of any desirability to incorporate the techniques taught by Gunasekar into the Burg system. Burg simply does not provide any suggestion of any desirability to add calling card information to its HTTP request that is sent in response to activation of the "launch call" button. *See In re Fritch*, 972 F.2d 1260, 1266, 23 U.S.P.Q.2d 1780 (Fed. Cir. 1992) ("The mere fact that the prior art may be modified in the manner suggested by the Examiner does not make the modification obvious unless the prior art suggested the desirability of the modification."). Here, it is clear that none of

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the references suggested any desirability to modify the mechanism described in Burg with the technique described by Gunasekar.

Therefore, since no motivation or suggestion existed to combine the teachings of the cited references, it is respectfully submitted that the *prima facie* case of obviousness of claim 8 is defective for this additional reason.

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INDEPENDENT CLAIMS 14 AND 30

Independent claim 14 was rejected as being obvious over Burg and Gunasekar. Claim 14 recites a controller to generate a call request in response to selection of a hyperlink, where the call request comprises a SIP message. Claim 14 further recites that the controller adds calling card information to the call request. Gunasekar, as discussed above, teaches entering calling card information and a called number into a web browser for the purpose of delivery to a web server, so that the web server can send a validation message to another server to perform validation. Clearly, Gunasekar does not teach or suggest adding calling card information to a SIP message. This feature was conceded by the Office Action as missing from Burg.

Therefore, it is respectfully submitted that the *prima facie* case of obviousness is defective for the reason that the hypothetical combination of Burg and Gunasekar does not teach or suggest all elements of claim 14. Also, as discussed above, there existed no motivation to combine the teachings of Burg and Gunasekar. Therefore, the *prima facie* case of obviousness is defective for this additional reason.

Independent claim 30 is allowable for similar reasons.

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INDEPENDENT CLAIMS 33 AND 35

Independent claim 33 was rejected as being obvious over the asserted combination of Burg and Vaziri. It is respectfully submitted that a *prima facie* case of obviousness has not been established with respect to claim 33 for at least the reason that the hypothetical combination of Burg and Vaziri does not teach or suggest all elements of claim 33. The Office Action conceded that Burg does not disclose accessing rules information to determine information to add to the logical identifier, where the information enables at least one of disabling call waiting, inserting a pause, and navigating an automated call attendant. 4/4/2006 Office Action at 11. However, the Office Action relied upon Vaziri as disclosing this feature. *Id.* Specifically, the Office Action cited ¶ [0074] of Vaziri, which refers to a disable code that can be dialed by communications software to disable call waiting. However, there is no indication or suggestion by Vaziri that the disable code can be added to a logical identifier associated with a hyperlink. Therefore, it is respectfully submitted that the hypothetical combination of Burg and Vaziri does not teach or suggest all elements of claim 33.

Independent claim 35 is allowable for similar reasons, as neither Burg nor Vaziri teaches or suggests generating a call request containing one or more special characters as recited in the claim.

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CONCLUSION

In view of the foregoing, all dependent claims are allowable for at least the same reasons as corresponding independent claims. Allowance of all claims is therefore respectfully requested. The Commissioner is authorized to charge any additional fees and/or credit any overpayment to Deposit Account No. 20-1504 (NRT.0067US).

Respectfully submitted,

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